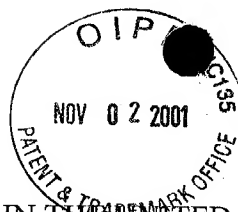


2834

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RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

ANDREAS BOEHRINGER ET AL.

Serial No.: 09/830,359

Filed: April 23, 2001

For: DEVICE AND METHOD FOR
GENERATING A PARTIALLY
SYNTHESIZED SIGNAL WITH VERY
GOOD DYNAMIC QUALITY FOR THE
ACCELERATION OF A ROTOR IN AN
ELECTRICAL DRIVE MECHANISM

TC 2800 MAIL ROOM

PATENT

Group Art Unit: 2834

Examiner:

SUBMISSION OF ENGLISH PRELIMINARY EXAMINATION REPORT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is an English language Preliminary Examination Report for the
above-identified application.

Respectfully submitted,

Mark S. Bicks
Reg. No. 28,770

Roylance, Abrams, Berdo & Goodman, L.L.P.
1300 19th Street, N.W.
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(202)659-9076

Dated: Nov 1, 2001

PATENT COOPERATION TREATY

PCT
NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

BARTELS & PAETZNER:

Lange Strasse 51

D-70174 Stuttgart

ALLEMAGNE

27. AUG. 2001

Patwo.

Date of mailing (day/month/year) 15 August 2001 (15.08.01)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 10rgb/128668	
International application No. PCT/EP99/08376	International filing date (day/month/year) 03 November 1999 (03.11.99)
Applicant DR. JOHANNES HEIDENHAIN GMBH et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

JP,US

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Juan Cruz
Facsimile No. (41-22) 740.14.35	Telephone No. (41-22) 338.83.38

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 10rgb/128668	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP99/08376	International filing date (day/month/year) 03 November 1999 (03.11.99)	Priority date (day/month/year) 05 November 1998 (05.11.98)
International Patent Classification (IPC) or national classification and IPC G01P 15/08, G05B 19/416		
Applicant DR. JOHANNES HEIDENHAIN GMBH		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>16</u> sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input checked="" type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 27 April 2000 (27.04.00)	Date of completion of this report 05 December 2000 (05.12.2000)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP99/08376

I. Basis of the report

1. This report has been drawn on the basis of (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

- ☐ the international application as originally filed.
- ☒ the description, pages 3-6, 8-12, as originally filed,
 pages _____, filed with the demand,
 pages 1, 2, 2a, 7, 7a, filed with the letter of 30 October 2000 (30.10.2000),
 pages _____, filed with the letter of _____.
- ☒ the claims, Nos. _____, as originally filed,
 Nos. _____, as amended under Article 19,
 Nos. _____, filed with the demand,
 Nos. 1-24, filed with the letter of 30 October 2000 (30.10.2000),
 Nos. _____, filed with the letter of _____.
- ☒ the drawings, sheets/fig 1/4-4/4, as originally filed,
 sheets/fig _____, filed with the demand,
 sheets/fig _____, filed with the letter of _____,
 sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-24	YES
	Claims		NO
Inventive step (IS)	Claims	1-24	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-24	YES
	Claims		NO

2. Citations and explanations

1. This report makes reference to the following search report citation; the same numbering will be used in the further proceedings:

D1: EP-A-0 661 543 (BOEHRINGER ANDREAS), 5 July 1995 (1995-07-05).

2. The present application concerns a method (Claim 1) and device (Claim 13) for generating a signal with very good dynamic quality for accelerating a rotor of an electrical drive mechanism. A method of this type is known from D1, which describes measures allowing the relative position and angular acceleration signal generators to be rigidly interconnected and hence a directly interdependent set of state variables to be obtained.

The invention addresses the problem of eliminating the influence of measurement delays and oscillations on the measurement signal. This is achieved by providing a replacement variable generated by filtering the measurement signals through a low-pass or specially designed high-pass filter, then totalling them. The prior art does not disclose such

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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an evaluation method or evaluation circuit. The subject matter of independent Claims 1 and 13 therefore meets the requirements of PCT Article 33(2) and (3) for novelty and inventive step.

3. The remaining claims are dependent on Claims 1 and 13 and therefore also meet the requirements of PCT Article 33(2) and (3).

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VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

In the original set of claims and in the description, a special high-pass filter was presented as essential. In particular, two embodiments were disclosed (see, for example, the original Claim 1 regarding the general high-pass transmission function, and Claim 11 regarding the special high-pass transmission function). The present independent claims do not concern either of these two embodiments, but rather enable any transmission functions. Such an extension is not supported by the original documents, and therefore the requirements of PCT Article 34(2)(b) are not met.